
Subject: Civil Rights Complaints

Effective Date: December 1, 2005

Revised from: October 1, 2004

Policy: A complaint that alleges discrimination on the basis of race, color, national origin, sex, age, or disability shall be considered a civil rights complaint. The person making the complaint shall be known as the complainant.

Reference: CFR §246.8

Procedure: To comply with civil rights complaint processing, each Local Agency shall:

1. Inform any person who wishes to file a complaint that alleges discrimination, that the person may do so in either oral or written communication and may file the complaint with any of the below listed persons or agencies. The complainant has the right to decide to which agency to send the complaint. The list of persons or agencies includes:
 - a. the Local Agency;
 - b. the State WIC Agency;
 - c. the Secretary of Agriculture or the Director, Office of Equal Opportunity, USDA, Washington, D.C., 20250; or
 - d. the USDA Director, Office of Civil Rights, 1400 Independence Ave., SW, Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY).
2. Written complaints may be in letter form and then summarized on the current Civil Rights Complaint form supplied by the State WIC Agency. [Refer to the Forms Section for a copy of the complaint form.] Oral complaints shall be documented by using the current Civil Rights Complaint Form supplied by the State WIC Agency and shall include:
 - a. A check mark (✓) to indicate race, color, national origin, sex, age and/or disability if the complaint alleges discrimination;
 - b. name of the complainant alleging the discrimination;
 - c. name of person alleged to have acted in a discriminatory manner;
 - d. when and where the alleged discrimination occurred; and
 - e. description of the alleged discriminating act.
3. If the Local Agency receives an oral or written discrimination complaint, the Local Agency shall immediately complete the current Civil Rights Complaint Form without taking any action. Immediately forward the form to the State WIC Office. The Local Agency shall also place a copy of the completed Civil Rights Complaint Form in the agency's Civil Rights Complaint file. [Refer to the Forms Section for a copy of the complaint form.]
4. The State WIC Agency shall forward all civil rights complaints that allege discrimination on the basis of race, color, national origin, or age to the Secretary of Agriculture or Director, Office of Equal Opportunity, sent in care of the Mountain Plains Regional Office.
5. The State WIC Agency may process complaints that allege discrimination based on sex or disability.